

May 01, 2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEAN F. MCAVOY, CLERK

ROBERT EUGENE GOETZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:16-CV-00337-SMJ

**ORDER CORRECTING
JUDGMENT**

Before the Court, without oral argument, is the Commissioner's Motion for Relief under Federal Rule of Civil Procedure 60(a). ECF No. 27. Defendant asks the Court to correct the judgment in this matter to be consistent with Magistrate Judge Dimke's Report and Recommendation. The Court adopted Magistrate Judge Dimke's Report and Recommendation in its entirety. However, the Court remanded this matter to the Commissioner for immediate calculation and award of benefits, rather than remanding for further proceedings as Magistrate Judge Dimke recommended. This was error.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion for Relief under Federal Rule of Civil Procedure 60(a), **ECF No. 27**, is **GRANTED**.

2. The Report and Recommendation, **ECF No. 19**, is **ADOPTED** in its entirety.

3. Plaintiff's Motion for Summary Judgment, ECF No. 16, is GRANTED.


4. The Commissioner's Motion for Summary Judgment, ECF No. 18, is DENIED.

5. This matter is **REMANDED** to the Commissioner of Social Security pursuant to 42 U.S.C. § 405(g) for further proceedings consistent with this order.

6. The Clerk's office shall enter an **AMENDED JUDGMENT** in favor of Plaintiff consistent with this order.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 1st day of May 2018.


SALVADOR MENDOZA, JR.
United States District Judge